



Fw: EPA-VA WIP Call - Nov 10 Summary

Ann Carkhuff to: Lucinda Power

11/18/2010 02:14 PM

History: This message has been forwarded.

FYI

----- Forwarded by Ann Carkhuff/R3/USEPA/US on 11/18/2010 02:11 PM -----

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Date: 11/10/2010 09:00 PM
Subject: EPA-VA WIP Call - Nov 10 Summary

All - Thanks again for a productive call this morning.

We will see how the rest of this week shakes out to decide if we need another call prior to the Nov 19 meeting in DC.

Below are some summary points and follow-up actions.

Input Deck issues

- The only remaining issue is regarding the possibility of including a BMP efficiency for container nurseries

Follow-Up Action: Kelly Shenk will follow up with Russ Perkinson by the end of the week.

WQS Revisions - Final Adoption/Approval Process

- The need for pursuing emergency rulemaking at the December SWCB meeting was discussed briefly
- The regional Administrator has sent David Paylor and Secretary Domenech an email notifying them that he needs to discuss this matter with them on Friday
- In the interim, DEQ staff will begin researching what would be needed to pursue this approach

Follow-Up Action: None at this time.

CSO

- We are better off than where we were last week
- The WLA allocation issue appears to be largely resolved
- Remaining issues are regarding compliance

Follow-Up Action: David McGuigan and Al Pollock have already begun scoping out the possibility of a follow-up discussion on Friday 11/12.

TSS Backstop Allocations

- Jeff Corbin stated that EPA has been discussing the possibility of removing stringent TSS concentrations from the wastewater backstop - he is hopeful that this issue will be resolved but it is the position of the Regional Administrator that revisions to any backstop actions will depend on a holistic review of the final WIP submitted by each jurisdiction - i.e. a stronger WIP stands a better chance of having backstops revised or removed

Follow-Up Action: None at this time.

Stormwater MS4s

- To avoid a detailed technical discussion on the call, Anthony Moore agreed to have Russ Perkinson and other DCR staff conduct a follow-up discussion with EPA MS4 staff

Follow-Up Action: Jenny Molloy and Russ Perkinson will schedule a follow-up phone call.

James River "Time Bridge"

- VA staff are still reviewing the discussion draft submitted by EPA on 11/3
- Jeff Corbin emailed a revised version following the call and asked that VA use the new version to provide comments
- Al Pollock provided some preliminary technical feedback including discrepancies in the total chlorophyll-based load calculation (larger load difference than is included in the discussion draft) and refinements to the early part of the 3-year proposed study timeline

Follow-Up Action: VA agreed to provide mark-up comments to EPA by Monday 11/15.

James River Sediment Allocation

- Jeff Corbin explained EPA's position regarding possible adjustments to VA's sediment allocation in the future after the chlorophyll study is completed or during the 2017 reevaluation phase
- VA is not supportive of this approach
- VA described that due to possible adjustments in the WIP, that may include less than E3-levels for stormwater, the current sediment allocations may not be achievable without implementing additional significant sediment reduction practices - possibly unachievable
- Bob Koroncai asked for additional clarification and further explained the reasoning for EPA's decision to not adjust the sediment allocation at this time
- Bob Koroncai acknowledged that VA had raised some points that EPA had not currently considered
- Anthony Moore asked whether a time bridge for sediment could also be explored for the James River

Follow-Up Action: EPA agreed to revisit this issue quickly and get back to VA as soon as possible.

Proposed Expansion of Virginia's Nutrient Credit Exchange Program

- VA is still reviewing EPA's comments submitted on 11/8 and compiling feedback
- VA reiterated that the proposed expansion does not "relieve" point sources of any obligation and that this is more of a discussion of "tool" vs. "outcome"

Follow-Up Action: Russ Baxter will coordinate comments from VA and provide to EPA by the end of the week - EPA will quickly review and provide a second round of feedback.

Agriculture

- Neil Zahradka noted that he had spoken with David McGuigan regarding small AFOs and that revised language was being developed to further address this issue
- Matt Conrad stated that he would work with DCR this week to further discuss increased reasonable assurance for the agriculture section of the WIP

Follow-Up Action: VA is urged to share revised language with EPA prior to the Nov 19 meeting in DC. Neil Zahradka and David McGuigan will continue to work off-line to address small AFOs.

Thanks...jc

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